

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STATE OF OHIO, ex rel.
MICHAEL DeWINE,
OHIO ATTORNEY GENERAL,

and

CLEVELAND-CUYAHOGA COUNTY
PORT AUTHORITY

Plaintiffs,

v.

UNITED STATES ARMY CORPS
OF ENGINEERS, *et al.*,

Defendants.

**PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 65, Plaintiffs, State of Ohio and the Cleveland-Cuyahoga County Port Authority (“Plaintiffs”) hereby move the Court to issue a Temporary Restraining Order and Preliminary Injunction based on Plaintiffs’ Memorandum in Support of Plaintiffs’ Motion for Temporary Restraining Order and Preliminary Injunction, including the declarations, and exhibits attached thereto. Plaintiff requests an expedited hearing on this motion.

Respectfully submitted,

MICHAEL DEWINE
OHIO ATTORNEY GENERAL

/s/ *David Emerman*

DALE T. VITALE (0021754)
DAVID E. EMERMAN (0089348)
JANEAN WEBER (0083960)
Assistant Attorneys General
Environmental Enforcement Section
30 East Broad Street, 25th Floor
Columbus, Ohio 43215-3400
Telephone: (614) 466-2766
Facsimile: (614) 644-1926
Dale.Vitale@OhioAttorneyGeneral.gov
David.Emerman@OhioAttorneyGeneral.gov
Janean.Weber@OhioAttorneyGeneral.gov

RICHARD COGLIANESE (0066830)
Principal Assistant Attorney General
30 East Broad Street, 23rd Floor
Columbus, Ohio 43215
Telephone: (614) 644-7257
Facsimile: (614) 752-4677
elsreview@OhioAttorneyGeneral.gov

Counsel for Plaintiff, State of Ohio

/s/ Louis L. McMahon (w/authorization)

LOUIS L. McMAHON (0067378)
KEELY J. O'BRYAN (0071438)
McMAHON DEGULIS LLP
The Caxton Building
812 Huron Road E, Suite 650
Cleveland, Ohio 44115
Telephone: (216) 621-1312
Facsimile: (216) 621-0577
lmcmahon@mdllp.net
kobryan@mdllp.net

Counsel for Plaintiff,
Cleveland-Cuyahoga County Port Authority